



May 7, 2019

U.S. Department of Interior
Bureau of Land Management

Re: City of Glenwood Springs, CO Strong Opposition to Transfer Trail Mine

Dear Assistant Director Leverette, CO State Director Connell, and Field Director Sandoval:

The City of Glenwood Springs is requesting your assistance in preventing Rocky Mountain Resources (RMR) from continuing to operate its Mid-Continent Mine outside of its lawful Plan of Operations (PoO) approved by the Bureau of Land Management (BLM), and bully its way to an exponential expansion at its Glenwood Springs mine. Glenwood Springs, a world-class tourism and outdoor recreation destination since the 1800s located on the Western Slope of Colorado at the confluence of the Colorado and Roaring Fork Rivers, faces a fundamental threat to its future. RMR owns mineral rights for a small limestone mine on BLM-managed public lands on the mountain adjacent to and overlooking the community. RMR is seeking to expand mining operations by 5,000%, to allow mining 12 hours per day, blasting from 9am-4pm, and hauling out as many as 500 trucks per day for 20 years.

However, RMR is currently operating illegally and in violation of its current BLM Plan of Operations. These issues were conveyed to BLM's Colorado State Office, Northwest Field Office, and Colorado River Valley Field Office, in an October 11, 2018 letter from the Western Mining Action Project and its counsel, on behalf of the Glenwood Springs Citizens Alliance (GSCA). Neither the GSCA nor the City have yet received any acknowledgement of that October 2018 letter. We enclose it again for your consideration.

In addition, the GSCA submitted a Freedom of Information Act (FOIA) request to your offices on June 12, 2018, requesting all records/documents associated with the Mine. Unfortunately, outside of a perfunctory email from BLM on June 14, 2018 acknowledging receipt of the FOIA request and a limited numbers of documents from the local office, BLM has failed to provide a complete set of records, despite the fact that the FOIA-mandated deadline of 20 working days to provide the records/documents has long since expired, in violation of FOIA. The lack of response by the BLM, and its failure to address in a meaningful and lawful way RMR's violation has forced the City to take action.

The City of Glenwood Springs wants BLM to be fully aware that RMR is operating illegally and outside the scope and authority of its existing BLM (and local) permits. The GSCA October 2018 letter, which the City adopts, raises key issues including the following:

1. RMR has been extracting and selling common variety limestone for road base, boulders, riprap, and other construction materials instead of chemical grade limestone dust as a locatable mineral, in direct violation of its PoO and federal law. Nor has the company been paying federal royalties on these rock sales, as required by federal law. BLM should immediately commence investigations into this matter and order an immediate suspension of all operations/activities that are not in full compliance with the PoO and applicable law.
2. RMR is currently operating on 20.8 acres instead of the 15.7 acres allowed by its BLM PoO. BLM should immediately suspend any operations that exceed the currently authorized 15.7 acres.

3. RMR has undertaken unauthorized exploratory drilling in December 2016, has been conducting unauthorized mine bench development for years, and is in continuous non-compliance with stormwater management plan requirements, as found by BLM in its 2016 and 2018 Minerals Inspection Reports. BLM should determine and impose proper penalties and fines for such authorized activities, and order immediate suspension of all operations that are in non-compliance.

Although RMR is currently operating illegally and outside its small mining operating permit (which RMR acknowledged on the record at a public meeting before the Garfield County Commissioners on April 21, 2019) on these federal public lands, it now seeks an Operating Plan modification from the BLM to allow a drastic, harmful proposed mine expansion to happen to Glenwood Springs. With respect to the current Operating Permit and proposed Operating Permit modification to allow a 5000% increase in the mine's operations, the City of Glenwood Springs requests that BLM:

1. Immediately suspend acceptance or processing of a revised Plan of Operation until current Operating Permit violations are corrected;
2. BLM's Colorado River Valley Field Office hold a public hearing regarding these current non-compliance issues, and potential human health, environmental and community impacts from a proposed expansion;
3. Require a full Environmental Impact Statement process under the National Environmental Policy Act to determine the significant impacts on human health, the environment and the community that could result from the proposed mining expansion;
4. Require a thorough investigation of whether the proposed, expanded mining operations would be for the purpose of locatable minerals, or only common variety minerals.

The City of Glenwood Springs appreciates the opportunity to work with the Colorado Valley Field Office on these important matters, and is also appreciative for the opportunity to travel to Washington DC on May 14 to meet with your office about these critically important issues.

The proposed expansion of RMR's mine poses a tremendous risk to the City of Glenwood Springs, its robust tourist economy, and incredible scenic beauty and quality of life. We thank you for your support of our rural Colorado town and its 10,000 residents.

Sincerely,



Jonathan Godes
Mayor
City of Glenwood Springs



Michael Gamba
Former Mayor
Member, Glenwood Springs Citizen Alliance

Attachments (3)

cc: Senator Cory Gardner, Senator Michael Bennet, Representative Scott Tipton